DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-1148-20**	**Applicant:**	**Postland Developments Ltd.**
Proposal:	Details of reserved matters for schedule of materials and landscaping and tree planting - outline approval H13-0844-17.		
Location:	Chapel Walk Roman Road Moulton Chapel		
Terminal Date:	18th March 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	1	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of reserved matters for schedule of materials and landscaping and tree planting - outline

approval H13-0844-17.

Site Description

The site is approximately 2.9 hectares in size and comprises of agricultural land to the rear of properties/businesses on Roman Road and Cekhira Avenue. The part of the site adjoining Roman Road formerly accommodated a commercial vehicle repair business, which has now been demolished. The former village playing field is to the east, there are fields to the south and a Grade II Listed Mill is to the north-west.

History

H13-0858-20 - Details relating to contamination (Condition 13 of H13-0844-17) (undecided)

H13-0496-20 - Details of Conditions 3 (iii & v), 15, 17, 18, 19, 20 and 22 of H13-0844-17 (undecided)

H13-1107-20 - Details of landscaping and tree planting, boundary treatment, public open space & landscape management (Conditions 8, 9, 10 & 11 of H13-0844-17) (approved March 2021)

H13-0370-19 - Details Relating to Archaeology (Condition 5 of H13-0844-17) (approved April 2020)

H13-1096-19 - Reserved matters application for residential development - comprising 58 dwellings and associated works - outline approval H13-0844-17 (approved February 2020)

H13-0844-17 - Outline application for proposed development of up to 58 houses with vehicular access (garages to be removed) (resubmission of H13-1280-16) (approved October 2018)

Consultation Responses

South Holland Drainage Board - No comment.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Planning Considerations

Schedule of Materials

Two brick types are proposed - UK Brick's Hurstwood Multi and Traditional English Red - with relief being provided on certain plots with oatmeal render (either part or full) and/or brick detailing. Red brick is in keeping with other development in the vicinity and is a traditional brick colour in South Holland. 11 tile types are proposed in all in a mix of red, brown, terracotta and grey which will add further variety. Doors and garage doors would be either anthracite grey or pebble grey. Windows would be anthracite grey with Syrene Wet Bath Stone being used for window cills.

Given the nature and intended quality of the development, the proposed materials are considered acceptable and in accordance with Policy 2 of the Local Plan. Policy 2 requires development proposals to take into account sustainable development considerations such as quality of design and impact on character and appearance of the area.

Landscaping and Tree Planting

The proposed landscaping scheme is comprehensive and in keeping with the intended visual appearance/quality of the overall development.

In response to H13-1107-20 (condition compliance application for various matters including landscaping), one resident asked that the proposed silver birch in the north-east corner be changed to an alternative as the current silver birch's create severe pollen debris. The applicant has agreed to omit this particular tree from the scheme and a condition can be added to the decision notice to that effect.

The submitted landscaping management plan is detailed and the proposed measures are considered appropriate.

The proposal therefore complies with Policy 3 of the Local Plan in respect of its provisions on landscaping.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Taking the above into account, the proposed materials of construction and landscaping scheme (incl. maintenance details) are considered to be acceptable and in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

The recommendation is therefore for a delegated approval.